

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL No. 2327

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER # 26

(**Revised** Short Form Complaint and Amended Short Form Complaint
re: Addition of Coloplast, et al.; **Revised** Motion to Transfer MDL)

I recently entered a PTO in In re: Coloplast Corp. Pelvic Support Systems Products Liability Litigation, MDL 2387, which adopted a Short Form Complaint and Amended Short Form Complaint adding the following MDL defendants: Coloplast Corp., Analytic Biosurgical Solutions (“ABISS”), Mentor Worldwide LLC, Coloplast A/S, Coloplast Manufacturing US, LLC, and Porges S.A. As a result, attached are a **revised** (1) Short Form Complaint (Exhibit A); and a **revised** (2) Amended Short Form Complaint (Exhibit B) that reflect the addition of these entities to the Short Form and Amended Short Form Complaints in this MDL.

It is **ORDERED** as follows:

(1) While PTO # 15 (New Direct filing Order; Amended Master Complaint, Short Form Complaint, Amended Short Form Complaint and Master Responsive Pleadings) remains in force and effect, parties filing Short Form Complaints in new cases or Amended Short Form Complaints in existing cases **must use the revised forms attached to this PTO and located on**

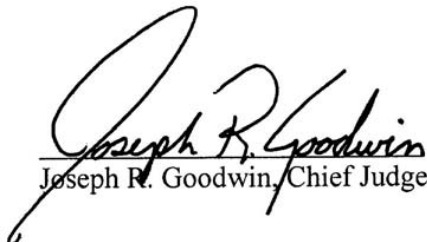
the court's website, rather than the Short Form and Amended Short Form Complaints attached to PTO # 15, **beginning no later than December 19, 2012;**

(2) Plaintiffs who have already filed a Short Form or Amended Short Form Complaint pursuant to PTO # 15 are given leave to amend their Short Form or Amended Short Form Complaint for the **sole** purpose of naming the above entities, but must do so on or before **January 25, 2013;** and

(3) A **revised** PDF fillable form entitled "Motion to Transfer MDL," which also can be found on the court's website and which enables parties to now transfer their case, where necessary, to any of the five (5) MDLs assigned to me, is attached hereto as Exhibit C and must be used by the parties in place of the original PDF fillable form.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2327 and it shall apply to each member related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2:12-cv-08927. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsc.uscourts.gov.

ENTER: December 17, 2012


Joseph R. Goodwin, Chief Judge